

AMENDED IN ASSEMBLY APRIL 16, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2333

Introduced by Assembly Member Nakano
(Coauthors: Assembly Members Longville and Pavley)

February 21, 2002

An act to add Section 164.1 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2333, as amended, Nakano. Transportation: funding.

Existing law provides that funds made available for transportation capital improvement projects relating to highway and rail transit shall be used in part for interregional improvements.

This bill would ~~authorize the withholding of~~ *require the Department of Transportation to give preference to projects that facilitate airport development and access when allocating these interregional funds from* to any of *the* specified urban counties within the Southern California Association of Government's jurisdiction if that county is ~~not~~ consistent with the ~~aviation element of the long range plan~~ *regional transportation plan* developed by the association, ~~except as otherwise provided~~. The bill would additionally authorize the Southern California Regional Airport Authority to review the ~~implementation plan~~ *master plans and airport layout plans* of each commercial airport *or proposed commercial airport* in these counties in order to determine whether the airport is in compliance or is taking the necessary steps to achieve compliance with the Regional Transportation Plan.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds that the prospect of growth*
2 *in passenger and cargo air transportation at commercial airports*
3 *in the Counties of Los Angeles, Orange, San Bernardino, and*
4 *Riverside between now and 2025 is important for economic*
5 *development and job growth in the region. The Legislature also*
6 *finds that noise, air quality, traffic, and other adverse impacts*
7 *associated with airports affect the environment and quality of life*
8 *in local communities. Accordingly, the Legislature finds and*
9 *declares that it is in the interest of the Counties of Los Angeles,*
10 *Orange, San Bernardino, and Riverside to distribute the burdens*
11 *and benefits of commercial aviation fairly throughout the region.*

12 SEC. 2. Section 164.1 is added to the Streets and Highways
13 Code, to read:

14 164.1. The aviation program of the Regional Transportation
15 Plan prepared and adopted by the Southern California Association
16 of Governments (SCAG) shall assure a fair-share distribution of
17 both the burdens and benefits of commercial aviation among the
18 four urbanized SCAG Counties of Los Angeles, Orange, San
19 Bernardino, and Riverside.

20 In determining the “fair share distribution” appropriate for
21 each county, SCAG shall include an assessment of future
22 passenger and cargo demand likely to be generated by and
23 ~~reasonably attributable to each county as well as a prorata~~
24 ~~distribution among the counties connecting passenger demand~~
25 ~~likely to occur in Southern California. In addition, SCAG shall~~
26 ~~reasonably attribute to each county. In addition, SGAG shall~~
27 assure that principles of environmental justice are adhered to in the
28 development of the Regional Transportation Plan aviation
29 program assuring that no ethnic or racial minority community
30 bears a disproportionate share of the environmental burden of
31 regional aviation activity. *For purposes of this section,*
32 *environmental justice shall be construed to conform with the*
33 *provisions of the applicable federal law.*

34 ~~The Regional Transportation Plan shall provide that airport~~
35 ~~proprietors in each of the four urbanized SCAG counties adopt and~~

1 assure timely implementation of a commercial aviation program
2 consistent with the aviation program of the Regional
3 Transportation Plan adopted by SCAG's Regional Council.

4 Funds identified in paragraph (1) of subdivision (a) of Section
5 164 (the 25 percent for interregional improvements) shall not be
6 allocated to any county that is not consistent with the aviation
7 element of a long-range plan developed by SCAG, unless that
8 county is making timely progress in its implementation for
9 consistency with the Regional Transportation Plan.

10 If the airport proprietor and operator is a public entity located
11 in another county, the county in which that public entity exists shall
12 be the county affected by these provisions rather than the county
13 where the airport is located.

14 The Southern California Regional Airport Authority (SCRAA)
15 shall review the implementation plan of each commercial airport
16 in each county and make a determination of consistency with the
17 Regional Transportation Plan.

18 *In allocating funds identified in paragraph (1) of subdivision (a)*
19 *of Section 164 (the 25 percent for interregional improvements) the*
20 *Department of Transportation shall give preference to projects*
21 *that facilitate airport development and access in any of the four*
22 *urbanized counties where airport planning is consistent with the*
23 *SCAG Regional Transportation Plan and where the airports in*
24 *that county are making timely progress in implementation*
25 *consistent with the Regional Transportation Plan.*

26 *To be eligible for this preference with respect to allocation of the*
27 *specified transportation dollars, airport proprietors within the*
28 *four urbanized counties of Southern California shall, consistent*
29 *with federal law, adopt and assure timely implementation of*
30 *airport master plans and airport layout plans consistent with the*
31 *aviation program of the Regional Transportation Plan adopted by*
32 *the SCAG Regional Council.*

33 *The Southern California Regional Airport Authority (SCRAA)*
34 *shall annually review the master plans and airport layout plans of*
35 *each commercial airport or proposed airport for consistency with*
36 *the SCAG Regional Transportation Plan.*

37 In making a determination of consistency with the Regional
38 Transportation Plan, SCRAA shall include a determination
39 whether the county or county transportation commission aviation
40 implementation plan is airports located within each county are

- 1 making reasonable progress toward the Regional Transportation
- 2 Plan's goals and ~~is~~ *are* likely to meet projected cargo and passenger
- 3 demand in a timely manner.

